

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

KATIE F. WILSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 3:06-0073
	)	Judge Echols
	)	
STATE OF TENNESSEE, et al.	)	
	)	
Defendants.	)	

**ORDER**

This matter is before the Court on a Report and Recommendation ("R & R") (Docket Entry No. 4) in which the Magistrate Judge conducted a frivolity review under 28 U.S.C. § 1915(e)(2) and recommends dismissal of the state agencies and the individual Defendants in this Title VII action. The Magistrate Judge also recommends the Court find that any appeal from those conclusions would not be in good faith under 28 U.S.C. § 1915(a)(3). The R & R was issued on July 25, 2006 and Plaintiff has filed no objections thereto, even though she was informed in the R & R that any objections needed to be filed within ten (10) days (Docket Entry No. 4 at 2).

Under Federal Rule of Civil Procedure 72(b) and 28 U.S.C. § 636(b)(1), the Court may accept, reject, or modify in whole or in part the findings or recommendations made by the Magistrate Judge. Having carefully reviewed the entire record in this case, the Court finds that the Magistrate Judge correctly applied the law to the facts presented. Accordingly, the Court rules as follows:

(1) The Report and Recommendation (Docket Entry No. 4) is hereby ACCEPTED;

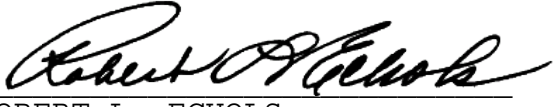
(2) Defendants Walton Moore, Pamela Bullard, the Department of Finance and Administration, and the Bureau of TennCare are hereby DISMISSED from this action;

(3) PROCESS SHALL ISSUE to Defendant State of Tennessee; and

(4) Any appeal of the dismissal of the individual or state agency Defendants would not be in good faith under 28 U.S.C. § 1915(a)(3).

This case is hereby returned to the Magistrate Judge for further pretrial management under Local Rule 16.01 and pretrial proceedings under 28 U.S.C. §§ 636(b)(1)(A) and (B) and Fed. R. Civ. P. 72(b).

It is so ORDERED.

  
ROBERT L. ECHOLS  
UNITED STATES DISTRICT JUDGE